

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
ENTERED

MAY 8 2003

Michael R. Milby, Clerk of Court

IN Re ENRON CORPORATION SECURITIES,  
DERIVATIVE & "ERISA" LITIGATION,

MDL 1446

MARK NEWBY, ET AL.,

Plaintiffs,

VS.

ENRON CORPORATION, ET AL.,

Defendants.

CIVIL ACTION NO. H-01-3624 AND  
CONSOLIDATED CASES

HEADWATERS CAPITAL, LLC, ET AL.,

Plaintiffs,

VS.

KENNETH L. LAY, ET AL.

Defendants.

CIVIL ACTION NO. H-03-0341

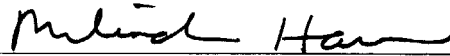
**ORDER**

Plaintiffs' motion to dismiss with prejudice all claims against defendants Goldman Sachs Group, Inc. and Goldman, Sachs & Co. is GRANTED, and all claims brought by plaintiffs Headwaters Capital, LLC and JAS Securities, LLC against the defendants Goldman Sachs Group, Inc. and Goldman, Sachs & Co. are hereby DISMISSED WITH PREJUDICE. Plaintiffs' claims

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against the remaining defendants in this action are unaffected by this dismissal with prejudice of their claims against Goldman Sachs Group, Inc. and Goldman, Sachs & Co. Costs are assessed against the party incurring same.

SIGNED this 7<sup>th</sup> day of May, 2003.



MELINDA HARMON  
UNITED STATES DISTRICT JUDGE